### IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MARYLAND (Baltimore Division)

In re:

FIRST MARINER BANCORP \* Case No: 14-11952-DER (Chapter 11)

Debtor \*

\* \* \* \* \* \* \* \* \* \* \* \*

#### NOTICE OF CHANGE OF CASE CAPTION

#### PLEASE TAKE NOTICE OF THE FOLLOWING:

- 1. On April 21, 2014, the Court entered an order approving the transfer and sale of assets of First Mariner Bancorp (together with any successor thereof, the "Debtor") to RKJS Bank pursuant to the Merger and Acquisition Agreement (the "Merger Agreement") [Dkt. No. 189] (the "Sale Order").
- 2. Pursuant to the Merger Agreement, prior to or reasonably contemporaneously with the closing of the sale, the Debtor is required to change its name to a name that no longer has any variation of "First Mariner" or "1<sup>st</sup> Mariner". The Sale Order authorized the Debtor to consummate the name change without any further Court authority and requires the Debtor to file a notice of change of case caption within five business days of closing. *See* Sale Order ¶ 14.
- 3. RKJS Bank has obtained all of the requisite regulatory approvals, and the sale is set to close imminently. Accordingly, in accordance with the Merger Agreement, the Debtor has changed its name from "First Mariner Bancorp" to "Capital Trust Holdings, Inc."
- 4. In accordance with the Sale Order, the Debtor hereby files this notice of change of case caption for this Chapter 11 case to reflect the Debtor's name change. A copy of the new case caption is attached hereto as **Exhibit A**. Pursuant to the Sale Order, the change of case caption shall be deemed effective as of the sale closing.

/s/ Lawrence J. Yumkas

Lawrence J. Yumkas, 06357 Yumkas, Vidmar & Sweeney, LLC 2530 Riva Road, Suite 400 Annapolis, Maryland 21401 (443) 569-0758 lyumkas@yvslaw.com

Robert T. Schmidt Joshua K. Brody Kramer Levin Naftalis & Frankel LLP 1177 Avenue of the Americas New York, New York 10036 (212) 715-9100 rschmidt@kramerlevin.com jbrody@kramerlevin.com

Counsel for Debtor

#### CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of June 2014, notice of filing the Notice of Change of Case Caption (the "Notice") was sent electronically to those parties listed on the docket as being entitled to such electronic notices, and a copy of the Notice was mailed first class, postage prepaid to the parties on the attached service list.

/s/ Catherine Nownes-Whitaker
Catherine Nownes-Whitaker

Arent Fox LLP Attention: Andrew I. Silfen 1675 Broadway New York, New York 10019

Cohen & Company Financial Mgmt LLC Attention: Peter Addai, as Manager for Alesco Preferred Funding I, L Cira Centre, 2929 Arch Street, 17th Fl. Philadelphia, Pennsylvania 19104

Covington & Burling LLP Attention: Michael P. Reed 1201 Pennsylvania Avenue, NW Washington, D.C. 20004

Federal Deposit Insurance Corporation Attention: Julie Howland 350 Fifth Avenue New York, New York 10118-0110

Gohn, Hankey & Stichel, LLP Attention: Jan I. Berlage 201 North Charles Street, Suite 2101 Baltimore, Maryland 21201

Gary R. Bronstein, Esquire Joel Rappoport, Esquire Kilpatrick Townsend & Stockton LLP 607 14th Street, NW Suite 900 Washington, D.C. 20005-2018

Sandler O'Neill & Partners LP Attention: Edward S. Stein 1251 Avenue of the Americas, 6th Floor New York, New York 10020

The Bank of New York, Trustee f/b/o Mariner Capital Trust IV
Attn: Corporate Trust Administration 200 White Clay Center Drive
White Clay Center, Route 273
Newark, Delaware 19711

Wells Fargo Bank, NA, Trustee f/b/o Mariner Capital Trust III Attn: Corporate Trust Administration 919 Market St. Suite 700 Wilmington, Delaware 19801

Wilmington Trust Company, Trustee f/b/o Mariner Capital Trust VII Attn: Corporate Trust Administration Rodney Square N., 1100 N. Market St. Wilmington, DE 19890-1600

Arent Fox LLP Attention: Jeffrey N. Rothleder 1717 K Street, N.W. Washington, D.C. 20036

Commission of Financial Regulation Attn: Mark Kaufman, Commissioner 500 North Calvert Street, Suite 401 Baltimore, Maryland 21202

Emmet, Marvin & Martin, LLP Attention: Edward Zujkowski and Thomas Pitta 120 Broadway 32nd Floor New York, New York 10271

Federal Reserve Bank of Richmond Attention: Richard Gilbert 701 East Byrd Street Richmond, Virginia 23219

Internal Revenue Service P. O. Box 7346 Philadelphia, Pennsylvania 19101-7346

Steven N. Serajeddini, Esquire David R. Seligman, Esquire Kirkland & Ellis LLP 300 North LaSalle Chicago, Illinois 60654

Skadden Arps Attention: Brian D. Christiansen 1440 New York Avenue, N.W. Washington, D.C. 20005

Trapeza CDO II, LLC Attention: Carolyn Thagard 441 Vine Street, Suite 1300 Cincinnati, Ohio 45202

Wells Fargo Bank, NA, Trustee f/b/o Mariner Capital Trust VI Attn: Corporate Trust Administration 919 Market Street, Suite 700 Wilmington, Delaware 19801

Robert T. Schmidt, Esquire Joshua K. Brody, Esquire Kramer Levin Naftalis & Frankel LLP 1177 Avenue of the Americas New York, New York 10036 Cadwalader Wickersham & Taft LLP Attention: Andrew Lom One World Financial Center New York, New York 10281

Comptroller of Maryland Compliance Division 110 Carroll Street Annapolis, Maryland 21411

Eton Park Capital Management L.P 399 Park Avenue, 10th Floor New York, New York 10022

First Mariner Bank Attention: Joseph F. Howard, Sr. Vice President, General Counsel 1501 South Clinton Street Baltimore, Maryland 21224

IRS Special Procedures – Insolvency Unit 31 Hopkins Plaza, Room 1150 Baltimore, Maryland 21201

Reed Smith LLP Attention: Eric Schaffer/Jared Roach 225 Fifth Avenue Pittsburgh, Pennsylvania 15222

The Bank of New York, Trustee f/b/o Mariner Capital Trust II
Attn: Corporate Trust Administration 200 White Clay Center Drive
White Clay Center, Route 273
Newark, Delaware 19711

Wachtell, Lipton, Rosen & Katz Attention: Richard K. Kim 51 West 52nd Street New York, New York 10019

Wilmington Trust Company, Trustee f/b/o Mariner Capital Trust V
Attn: Corporate Trust Administration Rodney Square N 1100 N. Market St. Wilmington, Delaware 19890-1600

The following parties received electronic notice of the filing:

Jan I. Berlage, Esquire Counsel for Hildene Capital Management, LLC Gohn, Hankey & Stichel, LLP 201 North Charles Street, Suite 2101 Baltimore, Maryland 21201

Thomas Angelo Pitta, Esquire Counsel for Bank of New York Mellon Emmet Marvin & Martin LLP 120 Broadway New York, New York 10271

Dennis J. Shaffer, Esquire Counsel for Edwin F. Hale, Sr. Whiteford Taylor Preston, LLP 7 Saint Paul Street Baltimore, Maryland 21202-1636

Andrew M. Weiner, Esquire Counsel for National Penn Bank Reed Smith LLP 1301 K Street NW Suite 1100 - East Tower Washington, D.C. 20005 Edmund A. Goldberg, Esquire Office of U.S. Trustee 101 West Lombard Street, Suite 2625 Baltimore, Maryland 21201

Jeffrey Neil Rothleder, Esquire Counsel for Wilmington Trust Company Arent Fox LLP 1717 K Street NW Washington, D.C. 20036

Joel I. Sher, Esquire Counsel for Sparrow Creek Shapiro Sher Guinot & Sandler 36 South Charles Street, 20th Floor Baltimore, Maryland 21201

Lawrence J. Yumkas, Esquire Counsel for First Mariner Bank Yumkas, Vidmar & Sweeney, LLC 2530 Riva Road, Suite 400 Annapolis, Maryland 21401 Anastasia L. McCusker, Esquire Counsel for Sparrow Creek Shapiro Sher Guinot & Sandler 36 South Charles Street, 20th Floor Baltimore, Maryland 21201

Martin H. Schreiber, II, Esquire Counsel for Bank of New York Mellon Law Office of Martin H Schreiber II, LLC 3600 Clipper Mill Road, Suite 201 Baltimore, Maryland 21211

Richard Wasserman, Esquire Counsel for RKJS Bank Venable LLP 750 East Pratt Street, Suite 900 Baltimore, Maryland 21202

Daniel Joseph Zeller, Esquire Counsel for Sparrow Creek Shapiro Sher Guinot & Sandler 36 South Charles Street, Suite 2000 Baltimore, Maryland 21201

## EXHIBIT A

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF MARYLAND (Baltimore Division)

In re: 

CAPITAL TRUST HOLDINGS, INC. 

(f/k/a First Mariner Bancorp) 

Debtor 

\* Case No: 14-11952-DER 
(Chapter 11) 

\* 

Chapter 11)